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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,631	11/28/2001	Hideyuki Matsushima	05711.0131	7707

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EXAMINER

JACKSON, ANDRE L

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,631

Applicant(s)

MATSUSHIMA ET AL.

Examiner

Andre' L. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 9, 11-19 and 21 is/are rejected.
- 7) ☒ Claim(s) 10 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Objections

Claim 1 is objected to because of the following informalities: (Clean Copy) In line 6, change “any” to -- at least --, as shown on the marked-up version copy. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 8 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6,076,237 to Goorhouse. Goorhouse disclose a quick release connector comprising a pair of snap elements capable of engaging with or disengaging from each other in an opposing direction, wherein one snap element (12) thereof has an engaging head (21) provided protrudedly on a base plate, while the other snap element (11) has an engaging hole (14) portion provided in another base plate, with which the engaging head is capable of engaging. An attached body (43, 34) being attached onto a base portion of each base plate, at least one of the snap elements having a grip portion (28) while the other snap element has a receiving portion (defined by the inner cavity or opening of snap element 11) making contact with the base portion of the one snap element, and at least one of the snap elements having an attaching plate (19) provided on the

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base portion of the base plate, the attaching plate having insertion holes through which the attached body is capable of being inserted.

Referring to claims 2-5, as shown in Fig. 1A, snap element (11) has a base portion (top wall portion) protruding from an end of its flat base plate forming an L-shape in cross-section, while in Fig. 2A, a tapered end (17) of the other snap element (12) resembles a tongue-like portion. As seen in Figs. 2, 2A and 3A, the gripping portion of the engaging head is formed to protrude outward beyond an edge (26) of the receiving portion of the other snap element. The snap elements are integrally molded of a plastic material. See column 3, lines 57-58.

Claims 8 and 11, the snap element (11) has an attaching portion (16) having an attaching hole to where the attaching body is sewn as shown in Fig.6 and center lines of the bodies (34, 43) are aligned evenly as shown.

Claims 12-17 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6,058,577 to Ida et al. Ida et al (Figs. 3-5) disclose a fastener comprising a plurality of pairs of snap elements capable of engaging with or disengaging from each other in an opposing direction, wherein one snap element (21a) of a pair of snap elements has an engaging head provided protrudedly on a base plate, while the other snap element (14) of the pair of snap elements has an engaging hole (14a) portion provided in another base plate (13a), with which the engaging head is capable of engaging, at least one of the snap elements having a grip portion (21b) while the other snap element has a receiving portion (14c, 13b) making contact with a base portion of the at least one snap element, and base portions of the base plates being attached on a pair of attached bodies (13, 21) at a predetermined interval such that they oppose each other.

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Referring to claims 13-17, 19 and 21, as shown in Fig. 4, one of the pair of snap elements (21a) has a base portion protruding from an end of its flat base plate forming an L-shape in cross-section. A tongue-like receiving portion (13c) is disposed at an end of the other of the pair of snap elements. Gripping portions of the engaging heads are formed to protrude outward beyond an edge of the receiving portions of the other snap elements. The snap elements are integrally molded of a thermoplastic resin and disposed on the attachment bodies along an aligned centerline to orientate proper fastening positions.

Claim 19, snap element (14) includes an attaching portion (11a) and an attaching hole or slit to with the attached body (13) is sewn. See column 4, lines 56-65.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goorhouse in view of Ida et al. Goorhouse discloses all of the limitations of the above claims, except Goorhouse fails to disclose or suggest a plurality of snap elements attached to respective attachment bodies by a molding means onto the attachment bodies. Ida et al teaches a plurality of fastener elements disposed upon respective attachment strips or bodies by integral molding.

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It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the quick release connector of Goorhouse to include the fastener as taught by Ida et al for the purpose of having a connector assembly capable of being assembled along edges of various articles providing a quick release fastening strip.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ida et al in view of Goorhouse. Ida et al discloses all the limitations of the above claim except Ida et al does not disclose or suggest one of the snap elements including an attaching plate on the base plate having insertion holes through which the attached body is inserted. Goorhouse teaches a connector assembly including snap elements having attachment plates defining through holes attachable to strap members or attachment bodies. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the fastener of Ida et al to include the attachment plate as taught by Goorhouse to provide a fastener having adjustable positioning engagement to an attachment body anywhere along its length to a desired tension.

Allowable Subject Matter

Claims 10 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant's Arguments

Applicant's arguments filed in Amendment A on February 14, 2003 have been fully considered but they are not persuasive. In the previous Office Action, the Examiner indicated that claims 7 and 10 were objected to and would be allowable if rewritten into independent form. Applicant incorporated the limitations of claim 7 into claim 1 and cancelled claim 7. However, upon performing a supplemental search in response to applicant's filed amendment, Goorhouse and Ida et al has been cited which anticipates applicant's amended and new claims. Therefore, the Examiner respectfully withdraws indication of allowable subject matter as it pertains to claim 7. In response to applicant's arguments on pages 8 and 9 of the above amendment that the prior art of record relied upon (Robson) does not disclose or suggest every limitation of applicant's claims, Goorhouse and Ida et al has been introduced to meet these limitations of applicant's claims. Accordingly, claims 1-6, 8-9, 11-19 and 21 are rejected. Claims 10 and 20 are objected to.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Unger shows structure similar to applicant's invention. Goorhouse, Lee, Ida et al, Wolterstorff and Roseman disclose buckle devices cited that include some or all of the limitations of applicant's amended claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (703) 605-4276. The examiner can normally be reached on Mon. - Fri. (9 am - 5 pm).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1018.

André L. Jackson
Patent Examiner
AU 3677

ALJ
April 16, 2003


ROBERT J. SANDY
PRIMARY EXAMINER